

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AO 2009-12
Senator Norm Coleman, by Benjamin L.) Agenda Document No. 09-34
Ginsberg, Esq., William J. McGinley,)
Esq., and Kathryn Biber Chen, Esq.)

CERTIFICATION

I, Mary W. Dove, recording secretary of the Federal Election Commission open meeting on June 25, 2009 do hereby certify that the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-4 to

approve Draft A of Advisory Opinion 2009-12, as set forth in Agenda Document No. 09-34.

Commissioners Bauerly and Walther voted affirmatively for the decision. Commissioners Hunter, McGahn II, Petersen, and Weintraub dissented.

2. Decided by a vote of 4-2 to

approve Draft B of Advisory Opinion 2009-12, as set forth in Agenda Document No. 09-34, subject to the following amendment:

Draft B, Page 6, footnote 4 to read: "This advisory opinion concerns only the use of campaign funds to pay for the requested legal fees and expenses. Senator Coleman is involved in a continuing recount of the 2008 election. This advisory opinion should not be relied on as allowing the use of recount funds because it does not address the use of recount funds."

Commissioners Hunter, McGahn II, Petersen, and Weintraub voted affirmatively for the decision. Commissioners Bauerly and Walther dissented.

Attest:

June 25, 2009
Date

Mary W. Dove
Mary W. Dove
Secretary of the Commission